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| 09/587,302 | 06/05/2000 | Hoa Thu Tran | NCRC-0011-US(9172) | 7601 |

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JAMES M. STOVER
NCR CORPORATION
1700 SOUTH PATTERSON BLVD, WHQ4
DAYTON, OH 45479

| EXAMINER | |
|---|---|
| ANYA, CHARLES E | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2194 | |

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/587,302 | TRAN ET AL. | |
| | Examiner | Art Unit | |
| | Charles E. Anya | 2194 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3/* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *7/12/06*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-3,5,7,9-11,13-16,19-21 and 23-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7,9-11,13-16,19-21 and 23-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. Claims 1-3,5,7,9-11,13-16,19-21 and 23-35 are pending in this application.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**3. Claims 1-3,5,7,9-11,20,23,26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,802,367 to Held et al. in view of U.S. Pat. No. 5,748,896 to Daly et al.**

4. As to claim 1, Held teaches a method of controlling software components in a processing system having plural nodes (figures 3/6), comprising: receiving a request to start the processing system ("...activation request..." Col. 10 Ln. 34 - 39, Col. 12 Ln. 1 - 7); launching a start routine in a first one of the nodes in response to the request "...startobjectserver..." Col. 13 Ln. 33 - 42); the start routine causing one or more services to be invoked a particular one of the nodes (Step 713 Col. 13 Ln. 36 - 42); determining one or more selected software components to start in each of the nodes

(figure 3 Col. 6 Ln. 53 - 61, figure 6 Col. 10 Ln. 51 - 67, Col. 12 Ln. 1 - 7); and the services starting the selected software components in a particular one of the nodes of the processing system (Col. 11 Ln. 1 - 17, Col. 12 Ln. 7 - 20).

Held is however silent with reference to causing a service to be invoked in plurality of nodes/starting selected software components in plurality of nodes.

Daly teaches causing a service to be invoked in plurality of nodes/starting selected software components in plurality of nodes (figure 5A Col. Ln. 41 – 67, Col. 9 Ln. 66 – 67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Daly and Held because the teaching of Daly would improve the system of Held by providing a single entry point through which administration of all network services on the network is initiated (Daly Col. 7 Ln. 23 - 27).

5. As to claim 2, Held teaches the method of claim 1, wherein causing the services to be invoked comprises causing WINDOWS services ("...window system..." Col. 6 Ln. 40 - 42).

6. As to claim 3, Held teaches the method of claim 2, further comprising invoking the services with a WINDOWS service control manager module ("...window system..." Col. 6 Ln. 40 - 42).

7. As to claim 5, Held teaches the method of claim 1, wherein starting the selected software components comprises starting software components defined as WINDOWS services ("...window system..." Col. 6 Ln. 40 - 42).

8. As to claim 7, Held teaches the method of claim 1, further comprising running an instance of a manager module in each node, the instance of the manager module in each of the nodes responsive to the start routine to invoke the services (Client Service Control Manager 707 Col. 12 Ln. 1 - 5, Server Service Control Manager 716 Col. 13 Ln. 33- 42).

9. As to claim 9, Held teaches the method of claim 1, wherein the first one of the nodes is a master node, wherein launching the start routine is performed in the master node (Col. 13 Ln. 33 - 42).

10. As to claim 10, Daly teaches the method of claim 7, further comprising the start routine communicating requests to manager module instances in each of nodes to start corresponding services (Server Manager Component 104 Col. 7 Ln. 17 - 27).

11. As to claim 11, Daly teaches the method of claim 1, wherein causing the services to be invoked comprises causing one service to be invoked for each software component (Col. 7 Ln. 17 - 27).

12. As to claim 20, Held teaches a database system comprising: a plurality of nodes (figure 6); database software components executable in corresponding nodes (figures 6/7 Col. 10 Ln. 15 - 67); and a manager module in each of the plurality of nodes executable to control the database software components in the plurality of nodes (Client Service Control manger 602, Server Service Control Manager 606, Client Service Manager 707, Server Service Control Manager 716 Col. 10 Ln. 15 - 67, Col. 11 Ln. 43 - 67, Col. 12 Ln. 1 - 40).

Held does not explicitly teach enabling a monitoring module to monitor statuses of the database software components in the nodes.

Daly teaches enabling a monitoring module to monitor statuses of the database software components in the plurality of nodes (Col. 7 Ln. 8 - 16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Daly and Held because the teaching of Daly would improve the system of Held by providing a single entry point through which a network administrators can browse and select the services they wish to administer on the network as well as monitor these individual network services and server from a common point (Daly Col. 7 Ln. 32 - 36).

13. As to claim 23, Daly teaches the method of claim 1, wherein the processing system comprises a parallel database system, and wherein the selected software components comprises starting database software components (figure 5A Col. Ln. 8 - 12).

14. As to claim 26, Daly teaches the method of claim 1, wherein each of the services monitors a status of a corresponding one of the selected software components. (Col. 7 Ln. 8 - 16).

15. As to claim 27, Daly teaches the method of claim 1, wherein each of the services monitors for termination of a corresponding one of the selected software component (Col. 7 Ln. 8 - 16).

**16. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,802,367 to Held et al. in view of U.S. Pat. No. 5,748,896 to Daly et al. as applied to claim 23 above, and further in view of U.S. Pat. No. 5,613,148 to Bezviner et al.**

17. As to claim 24, Held and Daly are silent with reference to the method of claim 23, wherein starting the database software components comprises starting a query coordinator in each of the nodes to process database queries.

Bezviner teaches the method of claim 23, wherein starting the database software components comprises starting a query coordinator in each of the nodes to process database queries (Step 510 "...SOMD ObjMgr..." Col. 8 Ln. 41 - 52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bezviner, Daly and Held because the

teaching of Bezviner would improve the system of Held and Daly by managing communications to a server process that provide access to database or printer resources (Bezviner Col. 6 Ln. 59 - 61, Col. 8 Ln 41 - 42).

18. As to claim 25, Bezviner teaches the method of claim 24, wherein starting the database software components comprises starting a data server in each node to control access of data in storage in the parallel database system (Col. 8 Ln. 41 - 52).

**19. Claims 13-16,19,21 and 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,613,148 to Bezviner et al. in view of U.S. Pat. No. 5,748,896 to Daly et al.**

20. As to claim 13, Bezviner teaches a database system comprising (figures 58/6 Col. 7 Ln. 39 - 64, Col. 8 Ln. 31 - 67): a plurality of nodes figures (figures 4/5B/5C/5D)', software components executable in the plurality of nodes ("...client process...", "...SOMDServer proxy...", "...target object..." Col. 7 Ln. 39 - 64, "...client process...", "...SOMD ObjMgr object...", "...target object..." Col. 8 Ln. 31 - 67) and the software components comprising a query coordinator in each of the plurality of nodes to process database queries (figure 6 (Step 520) Col. 8 Ln. 47 - 54).

Bezviner does not explicitly teach a manager module executable in the database system to invoke services in the plurality of nodes to control starting of the software

components and a start procedure executable in a first one of the nodes to invoke the services in respective nodes through the manager module.

Daly teaches a manager module executable in the database system to invoke services in the plurality of nodes to control starting of the software components (figure 5A (Server Manager Component 104) Col.8 Ln. 41 – 67, Col. 9 Ln. 66 – 67) and a start procedure executable in a first one of the nodes to invoke the services in the plurality of nodes through the manager module ("...creates..." Col. 8 Ln. 41 – 67, Col. 9 Ln. 66 – 67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Daly and Bezviner because the teaching of Daly would improve the system of Bezviner by providing a single entry point through which administration of all network services on the network is initiated (Daly Col. 7 Ln. 23 - 27).

21. As to claim 14, Daly teaches the database system of claim 13, wherein the manager module comprises plural instances executable on the plurality of nodes (figure 5A Col. 7 Ln. 8 – 16).

22. As to claim 15, Daly teaches the database system of claim 13, wherein the manager module comprises a WINDOWS service control manager (Server Manger Component 104 "...Windows..." Col. 8 Ln. 1 – 7).

23. As to claim 16, Daly teaches the database system of claim 13, wherein the services comprise WINDOWS services ("...Windows..." Col. 8 Ln. 1 – 7).

24. As to claim 19, Daly teaches the database system of claim 13, wherein the start procedure comprises a start service and a program invocable by the start service ("...creates..." Col. 8 Ln. 41 – 67, Col. 9 Ln. 66 – 67).

25. As to claim 21, Bezviner teaches an article comprising one or more machine-readable storage media containing instructions that when executed cause a database system having plural nodes figures 4/5B/5C/5D) to: receive a command to start database software components in the plural nodes ("...activated..." Col. 49 - 59).

Bezviner does not explicitly teach launching a start routine in a first one of the plural nodes in response to the command; issue requests, from the start routine, to respective nodes; and in response to the requests, invoke services in the plural nodes to start database software components.

Daly teaches launching a start routine in a first one of the plural nodes in response to the command/issue requests, from the start routine, to respective nodes; and in response to the requests, invoke services in the plural nodes to start database software components ("...creates..." Col. 8 Ln. 41 – 67, Col. 9 Ln. 66 – 67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Daly and Bezviner because the teaching of Daly would improve the system of Bezviner by providing a single entry point

through which administration of all network services on the network is initiated (Daly Col. 7 Ln. 23 - 27).

26. As to claim 28, Bezviner teaches the database system of claim 13, further comprising a storage, wherein the software components further comprise a data sewer in each of the plurality of nodes to control access to data in the storage (figure 6 Col. 8 Ln. 31 - 52).

27. As to claim 29, Bezviner and Held are silent with reference to the database system of claim 13, wherein each of the services is adapted to monitor for termination of a corresponding query coordinator, however it is inherent that once activated a thread or process would terminate at the end its execution.

28. As to claim 30, Daly teaches the database system of claim 13, wherein the start procedure is adapted to be invoked in response to a request to start a database application ("...creates..." Col. 8 Ln. 41 – 67, Col. 9 Ln. 66 – 67).

29. As to claim 31, see the rejection of claims 28 and 30 above.

30. As to claim 32, see the rejection of claim 29 above.

31. As to claims 33 and 35, see the rejection of claim 21 above.

32. As to claim 34, see the rejection of claims 21 and 28 above.

***Response to Arguments***

Applicant's arguments filed 7/12/06 have been fully considered but they are not persuasive.

In the remarks, Applicant argues in substance that the Daly prior art does not teach "causing a service to be invoked in a plurality of nodes/starting selected software components in the plurality of nodes".

Examiner respectfully traverses Applicant's argument:

Contrary to Applicant's argument the Daly prior art does teach "causing a service to be invoked in a plurality of nodes/starting selected software components in the plurality of nodes". The invention of the Daly prior art relates to a process for managing network services on the plurality of network servers (Col. 4 Ln. 11 – 13). The managing of the network services includes executing a service object that in turn communicates with **a plurality of network servers to obtain network service instantiation data relating instantiations of the one of the network services on the plurality of networks servers** (Col. 4 Ln. 20 – 29). Figures 3 and 5 indicates this network service instantiation by providing a server manager window that shows the instantiation of plural E-mail services and plural file services on a plurality of **running** servers (servers AB, CD and EF).

***Conclusion***

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2194

cea.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER